

REMARKS

Claims 1-20 are pending in this Office action. Applicants would like to thank the Examiner for identifying the allowable subject matter.

Claim Rejections - 35 USC § 103

Claims 1-2, 10, 12-14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,841,840 in view of Kikinis U.S. Patent 6,480,486 B2. Applicants respectfully traverse these rejections.

Regarding claim 1, the Examiner has stated that "Smith et al. explicitly teaches that first CP modem 31 and second CP modem 32 can be implemented as integrated modems whereby customer premise modem 30 includes both first CP modem 31 and second CP modem 32. In light of that, the following rejection argument is based on a single integrated CP modem 30." (Emphasis added). Applicants would like to respectfully point to the Examiner that in the cited sections, Smith et al. refers to "integrated modems" in a single unit but does not state that the integration involves forming a single modem. In fact, a careful reading of Smith et al.'s disclosure reveals that throughout the entire disclosure Smith et al. describes CP modems 31-32 and CS modems 11-12 as individual modems. This fact is clearly evident in figures 4A and 4B specifically Applicants would like to respectfully bring the Examiner's attention to blocks 101, 102, and 107 of figure 4A and corresponding description. In these blocks, Smith et al. clearly shows that each modem and corresponding line is maintained as a separate individual channel and whenever the second line is not in use, an independent and separate data connection is established between corresponding CP and CS modems. These connections are then "bonded" to provide a high-speed data connection 39 (see col. 3, lines 22-25). This means that each modem on CP and CS ends has its own interfaces and transceivers for these data connections. If the Examiner's assumption regarding a single modem is correct, then the single mode would not need bonding such as PPP Multilink (RFC 1990) as cited by Smith et al. (see col. 3, lines 33-35).

Therefore, Smith et al. does not teach a modem as recited in claim 1. Accordingly, claim 1 is patentably distinguishable from the combination of cited references.

Claims 2-11 depend from claim 1 and are patentably distinguishable from the combination of cited references for at least the same reasons as claim 1.

Claim 12 is rejected on the same ground as for claim 1 because of similar scope. Accordingly, claim 12 is patentably distinguishable from the combination of cited references for at least the same reasons as claim 1.

Claims 13-18 depend from claim 12 and are patentably distinguishable from the combination of cited references for at least the same reasons as claim 12.

Claims 3-4, 6, 8-9, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,841,840 and Kikinis U.S. Patent 6,480,486 B2 as applied to claim 1 above, and further in view of Smith et al. U.S. Patent 5,901,205. Applicants respectfully traverse these rejections.

Claim 3 depends from claim 1 and is patentably distinguishable from the combination of cited references for at least the same reasons as claim 1. Further regarding claim 3, the Examiner has stated that:

"Smith et al. does not teach CP modem being digital subscriber line (DSL) modem in the U.S. Patent 5,841,840. However, Smith et al teaches in subsequent invention US Patent 5,901,205, a continuation-in-part of US Patent 5,841,840, the multi-line modem is implemented as a DSL modem. In light of the aforementioned teachings, it would have been obvious for one of ordinary skill in the art at the time of the invention, the multiple line CP modem 30 in the U.S. Patent 5,841,840 can be modified to be a DSL modem as taught in the subsequent invention." (Emphasis added).

Applicants respectfully point to the Examiner that it is well known in the art that on an ADSL loop, voice and data communications exist simultaneously; however, Smith et al. ('205) describes a system in which when a voice connection request is detected, the data connection is torn down and the loop is bridged to a voice unit (*see* figure 3 and corresponding description

specifically, col. 3 line 51 – col. 4, line 47). Thus, Smith et al. does not describe a modem as recited in claim 3. Accordingly, claim 3 is further patentably distinguishable from the combination of cited references.

Claim 8 depends from claim 1 and is patentably distinguishable from the combination of cited references for at least the same reasons as claim 1. Further regarding claim 8, as explained above, Smith et al. ('804) shows individual modems connected to each line and thus a transceiver cannot share two different loops. Accordingly, claim 8 is further patentably distinguishable from the combination of cited references.

Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,841,840, U.S. Patent 5,901,205, Kikinis U.S. Patent 6,480,486 B2 as applied to claim 1 above, and further in view of Kahkoska et al. U.S. Patent 6,002,671. Applicants respectfully traverse these rejections.

Claim 7 depends from claim 1, which has been distinguished from Smith et al. for failing to disclose all limitations of claim 1. Accordingly, claim 7 is patentably distinguishable from the combination of cited references for at least the same reasons as claim 1.

Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,841,840, U.S. Patent 5,901,205, Kikinis U.S. Patent 6,480,486 B2 as applied to claim 1 above, and further in view of Price U.S. Patent 6,393,110 B1. Applicants respectfully traverse these rejections.

Claim 11 depends from claim 1, and claim 15 depend from claim 12, which have been distinguished from Smith et al. for failing to disclose all limitations of claims 1 and 12. Accordingly, claims 11 and 15 are patentably distinguishable from the combination of cited references for at least the same reasons as claims 1 and 12 respectively.

Applicant believes this application and the claims herein to be in a condition for allowance. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,



Abdul Zindani
Attorney for Applicant
Reg. No. 46,091

Texas Instruments Incorporated
P.O. Box 655474, MS 3999
Dallas, TX 75265
(972) 917-5137

TI-28221 - 9 -